

**City of Hurst  
City Council Minutes  
Tuesday, July 14, 2015**

On the 14th day of July 2015, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Richard Ward	)	Mayor
Bill McLendon	)	Mayor Pro Tem
Larry Kitchens	)	Councilmembers
Anna Holzer	)	
Henry Wilson	)	
Nancy Welton	)	
David Booe	)	
Allan Weegar	)	City Manager
John Boyle	)	City Attorney
Clay Caruthers	)	Assistant City Manager
Jeff Jones	)	Assistant City Manager
Rita Frick	)	City Secretary
Ron Haynes	)	Executive Director of Public Works
Sunny Patel	)	Director of Information Services
David Palla	)	Assistant Fire Chief
Michelle Lazo	)	Managing Director of Planning
Greg Dickens	)	City Engineer

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m.

Councilmember David Booe gave the Invocation.

The Pledge of Allegiance was given.

**CONSENT AGENDA**

1. Considered approval of the minutes for the June 23 and July 7, 2015 City Council meetings.
2. Considered Ordinance 2285, second reading, SP-15-06 In-N-Out Burgers, a site plan revision for signage only on Lot 2R2, Block 1, Thousand Oaks South Addition, being 1.22 acres located at 780 Airport Freeway.
3. Considered Ordinance 2286, second reading, SP-14-14, Hilton Garden Inn, a site plan approval for a portion of Lot 4R1A, Block 1 University Plaza Addition, being 1.12 acres located at 1601 Campus Drive.
4. Considered authorizing the city manager to continue the Internet Services agreement with

TelePacific for the remainder of the existing contract.

Councilmember Wilson moved to adopt the consent agenda. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

### **PUBLIC HEARING(S) AND RELATED ITEM(S)**

5. Conducted a public hearing to consider Z-15-01 a zoning change to R1-PD, with a site plan for Lot A, Block 9, Billy Creek Estates Addition, being 7.85 acres located at 100 Melbourne Road. Mayor Ward announced a public hearing to consider Z-15-01 a zoning change to R1-PD, with a site plan for Lot A, Block 9, Billy Creek Estates Addition, being 7.85 acres located at 100 Melbourne Road and recognized applicant Tom Cunningham, 6809 Baker Boulevard, Richland Hills, Texas, who reviewed the changes being proposed from the time addressed by the Planning and Zoning Commission. Changes included going from 28 proposed lots to 18 lots, deeper and wider lots on the north end of the development and one story only on the north end. He stated they were willing to put a privacy wood fence on the north side. Mayor Ward recognized the following individuals John Paprskar; Jerry and Lynn Tally, 1201 Crestview Drive, Hurst; Wayne Hamilton, 200 Melbourne Road, Hurst; Louis Dixon, 1200 Fescue Drive, Hurst, who expressed concerns regarding the original site plan submittal due to density and privacy to neighboring properties; expressed appreciation that the contractor worked with the residents; concerns that the same building line setback was not being required of a neighbor; a wood fence was being proposed on the north, instead of a masonry fence; visibility issues backing onto the street for an existing neighbor and concerns regarding the flood plain and drainage.

There being no one else to speak, Mayor Ward closed the public hearing.

Mayor Ward recognized the applicant's engineer, Ernest Hedgecock, who explained that none of the houses would be in the flood plain and reviewed the proposed storm drains that will handle any drainage issues.

Councilmembers discussed the proposed site plan and concerns.

6. Considered Ordinance 2289, first reading, Z-15-01, a zoning change to R1-PD, with a site plan for Lot A, Block 9, Billy Creek Estates Addition, being 7.85 acres located at 100 Melbourne Road.

Councilmember Wilson moved to approve Z-15-01, Billy Creek Estates with the stipulation lots 8, 9, 10, 11 and 12 be single story, a 6' foot tall wood fence be constructed only on the north side of lots 8, 9, 10, 11 and 12; a 25' foot setback on Lot 8 with no obstruction to the neighbor to the north of Lot 8 backing out of his driveway onto Melbourne Road, and approval of Ordinance 2289 on first reading. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

**PLAT(S)**

7. Considered P-15-04, Billy Creek Estates Addition, a preliminary plat for Lots 8-16, Block 9, 1-6, Block 13, and Lots 1-3, Block 12, Billy Creek Estates Addition, being 7.85 acres located at 100 Melbourne Road. Mayor Ward recognized Managing Director of Community Development Michelle Lazo who stated the preliminary plat coincides with the site plan and Engineering was fine with the preliminary plan. She stated a final plat will be presented for Council's consideration. In response to Councilmembers' questions, Ms. Lazo stated the Planning and Zoning Commission denied due to the smaller lots originally proposed. She stated the new plat will show the changes.

**ORDINANCE(S)**

8. Considered all matters incident and related to the issuance and sale of "City of Hurst, Texas, General Obligation Refunding Bonds, Series 2015," including the adoption of Ordinance 2287 on first and final reading, authorizing the issuance of such bonds and providing for the redemption of the obligations being refunded. Mayor Ward recognized Assistant City Manager Clay Caruthers, who reviewed the bond sales noting the first Ordinance this evening is a refunding issue, which refunding is synonymous to home refinancing agreements. He stated the obligation was issued in 2007 at an interest rate a little over 4%. This refunding allows a lower interest rate to just above 2%. Mr. Caruthers stated that term of the debt did not extend and that it is simply to achieve savings associated with interest rates.

Councilmember Wilson moved to adopt Ordinance 2287, authorizing the issuance of "City of Hurst, Texas, General Obligation Refunding Bonds, Series 2015"; providing for the redemption of the obligations being refunded and approving and authorizing the execution of a Paying Agent/Registrar Agreement, Special Escrow Agreement and a Purchase Agreement in relation to such bonds and the approval and distribution of an Official Statement. Motion seconded by Councilmember Holzer. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

9. Considered all matters incident and related to the issuance and sale of "City of Hurst, Texas, Tax and Waterworks and Sewer System (Limited Pledge) Revenue Certificates of Obligation, Series 2015," including the adoption of Ordinance 2288 on first and final reading, authorizing the issuance of such certificates of obligation. Mayor Ward recognized Assistant City Manager Clay Caruthers who explained, that unlike the previous item, this item proposes issuance of new Certificates of Obligation. The proceeds will be used to pay for the costs of the next phase of Pipeline Road reconstruction, other street and drainage improvements, and water and sewer main replacements. The Certificates will fund a total construction budget of \$4 million with \$2.8 million allocated to street and drainage improvements and \$1.2 million allocated to water and sewer main replacement. He stated that previous debt was paid off and this only backfills about half. Mr. Caruthers stated the true interest cost is around 3% and introduced David Medanich with First Southwest Company who reviewed the sales noting the City's good bond ratings of Aa2 and AA and timing going to the market. Mr. Caruthers also noted the City's Bond Counsel Norton, Rose, and Fulbright was present during the work session and did vet the sale.

Councilmember Welton moved to to adopt Ordinance 2288, authorizing the issuance of “City of Hurst, Texas, Tax and Waterworks and Sewer System (Limited Pledge) Revenue Certificates of Obligation, Series 2015”; and approving and authorizing the execution of a Paying Agent/Registrar Agreement in relation to such obligations along with the distribution of an Official Statement.. Motion seconded by Councilmember Kitchens Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton  
No: None

### **RESOLUTIONS(S)**

10. Considered Resolution 1623 adopting the Tarrant County Hazard Mitigation Action Plan of June 2015. Mayor Ward recognized Assistant Fire Chief David Palla who reviewed the proposed plan. He explained both the State and FEMA have approved the plans and once approved by all the cities, the City will be eligible for grant money.

Councilmember Booe moved to approve Resolution 1623, adopting the Tarrant County Hazard Mitigation Action Plan of June 2015. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton  
No: None

11. Considered Resolution 1624 authorizing the city manager to enter into an advanced funding agreement with the Texas Department of Transportation for the Harrison Lane Elementary and Hurst Junior High Safety and Access to Schools Project. Mayor Ward recognized City Engineer Greg Dickens who reviewed the proposed projects and funding agreement noting a grant award of 80% Transportation Alternates program (TAP) Safety and Access to School grant for the areas near Harrison Lane Elementary School and Hurst Junior High School. He stated the grant is for \$489,515, with a \$186,807 local participation match. He noted the project will include sidewalks and flashing school zone signs at Harrison Lane Elementary and Hurst Junior High School. Mr. Dickens explained that the Council authorized \$125,000 for this project in May 2014, but an additional \$62,000 will be required as noted in the Advanced Funding Agreement.

Councilmember McLendon moved to approve Resolution 1624 authorizing the city manager to enter into an advanced funding agreement with the Texas Department of Transportation, for an amount not to exceed \$187,000, for the Harrison Lane Elementary and Hurst Junior High Safety and Access to schools Project. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton  
No: None

**ACTION ITEM(S)**

12. Considered authorizing the city manager to enter into an agreement with Azteca Systems, Inc., NewEdge Services, and CitySourced to purchase and implement the Cityworks system and CitySourced mobile application. Mayor Ward recognized Director of Information and Technology Sunny Patel who reviewed the proposed agreement for the replacement of the public works work order system and mobil application. He explained the current system is no longer being supported and the new system will be current and user friendly. In response to Councilmembers' questions, Mr. Patel stated the old system did not have adequate storage capacity and the new system has the capability to take pictures.

Councilmember Kitchens moved to authorize the city manager to enter into an agreement with Azteca Systems, Inc., NewEdge Services, and City Sourced to purchase and implement the Cityworks system and CitySourced mobile app, in an amount to not to exceed \$150,000. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton  
No: None

13. Considered approval of the guaranteed maximum price from AUI Northstar, LLC and authorize the city manager to execute all documents necessary for the Pipeline Road, Phase 2A Drainage Improvements at Forest Oaks Lane. Mayor Ward recognized Executive Director of Public Works Ron Haynes who reviewed the guaranteed maximum price from AUI Northstar, LLC, for the Pipeline Road, Phase 2A drainage improvements, at Forest Oaks Lane. He explained the improvements are needed, as soon as possible, for the Walmart Development. Mr. Haynes also discussed the construction process to be utilized due to the gas main running along Pipeline Road. In response to Councilmembers' questions, Mr. Haynes explained staff has held two meetings with ATMOS regarding this project.

Councilmember Welton moved to approve the guaranteed maximum price from AUI/Northstar, LLC, of 4149,317.00 for the Pipeline Road, Phase 2A Drainage Improvements at Forest Oaks Lane Project, and authorize the city manager to execute all documents necessary for this project. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton  
No: None

14. Considered annual appointments to Boards, Committees and Commissions.

Councilmember Wilson moved to make the following appointments:

Codes, Appeals and Advisory Board, Place 3, Term Expire 2017, Glenn A. Smith; Historical Landmark Preservation Committee, Place 5, Term Expire 2016, Billye Runnels-Jones; Library Board, Alternate Place 2, Term Expire 2016, Trasa Cobern; Neighborhood and Community Advisory Committee, Place 9, Term Expire 2017, Gary Waldron; Move Neighborhood and Community Advisory Committee Place 11 to Neighborhood and Community Advisory Committee Place 10, Term Expire 2016, Josh Ingram; Parks and Recreation Board, Alternate Place 2, Term Expire 2016, Cathy Thompson; Traffic Safety

Commission, Place 6, Term Expire 2016, Kim Leach; Zoning Board of Adjustment, Alternate Place 2, Term Expire 2017, Bud Dodson; Move Zoning Board of Adjustment Alternate Place 2 to Zoning Board of Adjustment Alternate Place 1, Term Expire 2016, Russell Patrick, and also to appoint all other board, commission and committee members whose terms are expired and wish to continue serving. Motion seconded by Councilmember Holzer. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

### **OTHER BUSINESS**

15. Review of upcoming calendar items – City Manager Allan Weegar noted the cancelation of the July 28, 2015 City Council meeting.
16. City Council Reports – No reports were given.

**PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED.** Mayor Ward recognized students in attendance.

Mayor Ward recessed the meeting to Executive Session at 7:51 p.m. in compliance with the provisions of the Texas Open Meetings Law, authorized by Government Code, 551.087 deliberation and conducting of economic development negotiations regarding financial information relative to prospective business expansion in the City and reconvened Open Session at 8:22 p.m.

17. Considered any and all action necessary ensuing from Executive Session.

Councilmember Holzer moved to approve Resolution 1625 approving an Economic Development Agreement pursuant to Chapter 380 of the Texas Local Government Code with Skygroup Investments, LLC, supporting the development of an indoor skydiving facility located at 655 Loop 820. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

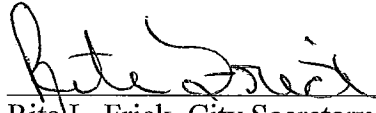
No: None

### **ADJOURNMENT**

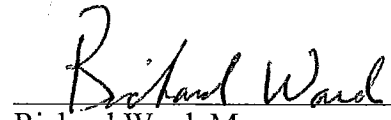
The meeting adjourned at 8:24 p.m.

**APPROVED** this the 11th day of August 2015.

**ATTEST:**

  
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Rita L. Frick, City Secretary

**APPROVED:**

  
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Richard Ward, Mayor